## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Engelhardt et al. Application No. 08/486,069 Filed: June 7, 1995 Atty Docket No. ENZ-5(D8)(C2)

OFFICE OF PETITIONS
Ms. Nancy Johnson
Senior Petitions Attorney

MAIL STOP PETITION Commissioner for Patents P.O. Box 1450

## REQUEST TO VACATE ORDER TO SHOW CAUSE WHY DECISION REVIVING THIS APPLICATION SHOULD NOT BE VACATED

Sir:

This is a Request to Vacate the Order to Show Cause Why Decisions Reviving Applications Should Not Be Vacated ("Order") issued in the above-captioned application. A Request to Expedite the treatment of this petition and a Petition to Expunge are being submitted separately.

Petitioner respectfully urges that no fees are due because the Show Cause Order was improperly issued. Nevertheless, should the USPTO determine that any fees are required to have the Order vacated, including any extension of time fees, the USPTO is authorized to charge Deposit Account No. 50-2929, making reference to Docket Number J10008.

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## D. Conclusion

In view of the above remarks, early notification of a favorable consideration is respectfully requested.

Respectfully submitted,

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Dated: November 11, 2008

By:

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